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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SUITE 300  
WASHINGTON, DC 20005

EXAMINER
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HAYES, JOHN W

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/809,631

Applicant(s)

KO ET AL.

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-10, 15, 18-25 and 42-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-10, 15, 18-25 and 42-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Status of Claims*

1. Applicant has amended claim 21 in the amendment filed 13 December 2004. Claims 7-10, 15, 18-25 and 42-49 remain pending. -

### *Response to Arguments*

2. With respect to the claims, applicant's arguments filed 13 December 2004 have been fully considered but are not persuasive.

3. Applicant argues that Mortimer discloses that markings are only used so that a student can determine what portions are well accepted as opposed to those portions which are not well accepted. Examiner respectfully disagrees and submits that Mortimer also discloses that the markings are used to highlight modified data to show which data has been added/alterd by a professor since the distribution date of the original book.

Applicant further argues that Mortimer does not suggest that the visual distinction between the altered text and the accepted text would have advantages in non-educational settings or in settings other than where there is a need to distinguish between well accepted and non well accepted facts. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, examiner submits that one having ordinary skill in the art would recognize the advantages of highlighting or marking portions of data with a text to provide a visual distinction for a variety of reasons. For example, it was well known at the time of applicant's invention that marking newly added/modified text within a word processing document was typically used as a convenient means to identify to the reader the portions of the text that have changed since the original document or at least the previous version of the document.

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4. Applicant argues that Toyama et al provides no suggestion that there is a need to differentiate the existing and updated commodity information retrieved from the disc to be displayed using different marking types as is done in Mortimer. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, examiner submits that Toyama et al does disclose a feature wherein a user may be capable of viewing information that is unread and the user can limit the displayed text to information that is unread or new to the user (0046-0048). Thus, in Toyama et al, the capability to isolate new data appears to be important and examiner submits that Mortimer is an example of a different method for isolating the new data and it would have been obvious to one having ordinary skill in the art to use the marking/highlighting feature of Mortimer within the method of Toyama et al as a means to highlight the unread data.

5. With respect to claims 15, 18 and 22, applicant argues that the combination does not disclose that "said writeable area comprises an area to which information is written once, and is thereafter a read only area". Applicant further argues that there remains insufficient evidence of a motivation to use a CD-R or a DVD-R instead of or in addition to a rewriteable disk area. Applicant further argues that by having area 102 be write once as in a CD-R or DVD-R as suggested by the examiner, the ability to record the supplemental information would be frustrated since the amount of supplemental information would be limited since the space used to record the data decreases each time supplemental information is recorded. Examiner submits, however, that Tognazzini is cited as an example of using a rewriteable area on a recording medium to write updated information to a reference CD-ROM (See Tognazzini, Col. 6, lines 5-13). Examiner has not suggested replacing the rewriteable portion of Tognazzini with a write once portion, but rather has argued that it would have been obvious to modify the system of Mortimer et al and include either a rewriteable portion such as that described by Tognazzini or a write once portion such as a CD-R or DVD-R which was well known in the art as described in applicant's specification.

6. With respect to claim 21, applicant's arguments have been considered but are moot based in the new grounds of rejection.

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7. As per claim 42, Applicant concedes that Yoshimoto et al disclose an optical disk with multiple zones that can be set to be write once and rewritable, however, argues that there is no suggestion as to why the disk of Toyama et al should include both a write once area and a rewriteable area in addition to a read only area or why Toyama would benefit from such different writeable areas on a single disk. Examiner submits that Yoshimoto provides a suggestion of the benefit and motivation for these features by indicating that this would enable a user to place different types of areas in a single disk which would best suit the intended application (Col. 4, lines 20-25). Toyama et al is concerned with updating pre-existing information in a read only portion of a recording medium by adding the updated information to a writeable portion. Examiner submits that one having ordinary skill in the art would recognize that this may be accomplished using several different methods depending on the particular application. The use of the different media types was well known in the art as discussed above and shown below in the following rejections. Also, one having ordinary skill in the art would recognize that, since Toyama et al is concerned with updating pre-existing information, this could be accomplished a plurality of different ways. In view of the teachings of Yoshimoto, this may be accomplished using a write once area to write information that needs to be written one time or a rewriteable area to write information that needs to be written and rewritten many times or using both a write once area and a rewriteable areas on the same medium.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyama et al, JP07295998 (English translation) in view of Mortimer et al, U.S. Patent No. 6,091,930.

As per **Claims 7-8**, Toyama et al disclose a method of updating commodity catalog information recorded on a medium using a recording/reproducing apparatus, the method comprising:

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- if the medium is mounted in the apparatus, accessing a server corresponding to the commodity catalog information written on the medium through a computer network (Paragraph 0009; 0034);
- if a link is set up with the corresponding server, checking whether there is a commodity item to be updated/edited in the commodity catalog information written on a predetermined readonly area of the medium (Paragraph 0009; 0034);
- if there is a commodity item to be updated/edited, transmitting the corresponding commodity catalog information from the server to the apparatus (0009; 0034; 0036);
- writing the transmitted commodity catalog information on a rewriteable area of the medium (0003; 0008; 0016; 0036);
- displaying the commodity catalog information recorded on the rewriteable area of the medium for retrieval after said writing the transmitted commodity catalog information (0024; 0025; 0034).

Toyama et al further disclose distinguishing the original goods data from the modified data (0032-0034 and 0045-0048), however, fails to specifically disclose marking the updated portion and the non-updated portion so that they are distinguishable from one another. Mortimer et al disclose a customizable interactive textbook stored on a CD-ROM (Abstract; Col. 9, lines 35-50; Col. 11, lines 10-18) wherein data added or altered is visually distinguishable from the original data using highlights, different fonts and underlines (Col. 16, lines 55-65). Mortimer et al further discloses distinguishing new or altered material from the old material using markers (Col. 17, lines 1-18). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and include an ability to distinguish original data from added or altered data using markers such as highlighting which uses different colors, different fonts or underlining as taught by Mortimer et al. Mortimer et al provides motivation by indicating that this would enable the reader to distinguish the original data from the added or altered data (Col. 16, lines 60-65 and Col. 17, lines 1-15).

As per **Claim 9**, Toyama et al further disclose recording a purchase order based on the retrieval of the commodity catalog information from the medium (0030; 0035; 0058).

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As per Claim 10, Toyama et al further disclose wherein said checking whether there is a commodity item to be updated/edited is performed through communication with the commodity information server (Paragraph 0009; 0034).

10. Claims 15, 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyama et al, JP07295998 in view of Tognazzini, EP 0817181 A2.

As per Claim 15, Toyama et al disclose a recording/reproducing medium comprising:

- a read-only area in which original commodity catalog information is written (Abstract; 0008; 0012);
- a writeable area in which updated commodity catalog information is written when provided by a server (0008; 0009);

Toyama et al, however, fail to disclose wherein the writeable area comprises an area to which information is written once, and is thereafter a read only area. Tognazzini disclose a hybrid optical disk recording medium having a read-only portion for storing information and a read/write area for reading, writing and erasing change data (Col. 2, lines 32-42) and further discloses that the read/write area could be used to store updates to a reference CD-ROM where original information could be pre-recorded on the read-only part and then periodically updated with the supplemental information stored in the read/write part (Col. 6, lines 6-13). Tognazzini discloses a read/write area for updated information, however, fails to specifically disclose that the read/write area is used as a write only once area which is thereafter a read-only area, however, examiner submits that this would have been obvious in view of applicant's own admission that CD-R and DVD-R formats are well known in the art (See applicant's specification, page 7, paragraph 0028). In other words, the CD-R format for compact disks wherein information is written once and is thereafter a read-only format was well known at the time of applicant's invention and it would have been obvious to create a hybrid optical disk such as that of Tognazzini having a read-only portion and a write-once portion in order to provide the ability to store read only information in the read only portion of the disk as well as writing information once in the write-once area of an optical disk. The motivation would be to provide the capability to record original information in the read-only portion as well as provide the capability to update the data once in the write-once portion as taught by Tognazzini. Tognazzini

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provides further motivation by indicating that this would alleviate the problem that original information cannot be changed and additional information cannot be easily written to a read-only optical disk after original information has been recorded in a manufacturing process (Col. 1, lines 20-25).

As per **Claim 18**, Toyama et al disclose a method of purchasing from and updating commodity catalog information recorded on a medium comprising:

- accessing a server corresponding to existing commodity catalog information read from the medium (Abstract; 0008; 0009);
- receiving updated commodity catalog information from the server (0009);
- writing the received updated commodity catalog information in a writeable area of the medium (0008; 0009);
- wherein the existing commodity catalog information is written in a read-only area of the medium (0008);
- wherein the updated commodity catalog information is written in a writeable area of the medium (0008; 0014).

Toyama et al, however, fail to disclose wherein the writeable area comprises an area to which information is written once, and is thereafter a read only area. Tognazzini disclose a hybrid optical disk recording medium having a read-only portion for storing information and a read/write area for reading, writing and erasing change data (Col. 2, lines 32-42) and further discloses that the read/write area could be used to store updates to a reference CD-ROM where original information could be pre-recorded on the read-only part and then periodically updated with the supplemental information stored in the read/write part (Col. 6, lines 6-13). Tognazzini discloses a read/write area for updated information, however, fails to specifically disclose that the read/write area is used as a write only once area which is thereafter a read-only area, however, examiner submits that this would have been obvious in view of applicant's own admission that CD-R and DVD-R formats are well known in the art (See applicant's specification, page 7, paragraph 0028). In other words, the CD-R format for compact disks wherein information is written once and is thereafter a read-only format was well known at the time of applicant's invention and it would have been obvious to create a hybrid optical disk such as that of Tognazzini having a read-only portion and a write-once portion in order to provide the ability to store read only information in the read only portion of



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the disk as well as writing information once in the write-once area of an optical disk. The motivation would be to provide the capability to record original information in the read-only portion as well as provide the capability to update the data once in the write-once portion as taught by Tognazzini. Tognazzini provides further motivation by indicating that this would alleviate the problem that original information cannot be changed and additional information cannot be easily written to a read-only optical disk after original information has been recorded in a manufacturing process (Col. 1, lines 20-25).

As per Claim 22, Toyama et al further disclose making a purchase of a commodity using the existing and/or updated commodity catalog information (0030; 0035; 0058).

11. Claims 19-20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyama et al, JP07295998 and Tognazzini, EP 0817181 A2 as applied above, and further in view of Uranaka, U.S. Patent No. 5,937,158.

As per Claims 19-20, Toyama et al and Tognazzini fail to disclose comparing ages of the existing information read from the medium and the updated information from the server and receiving the updated commodity catalog information where the ages are different. Uranaka discloses a system for connecting a portable media with a network, storing restaurant guide information on a DVD portable read-only medium and comparing the age of this information with the age of the information stored in the server and receives the updated information where the ages are different (Col. 10, lines 12-26). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and compare the ages of the existing data and the updated data as taught by Uranaka in order to determine if the update to the medium is necessary.

As per Claim 23, Toyama et al fail to disclose receiving a purchase record from the server after making the purchase and writing the purchase record to the writeable area of the medium. Uranaka discloses a catalog shopping system using a rewritable DVD having a portion for writing purchase history information for the user (Col. 17, lines 25-37). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and further write user's

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purchase history information on the medium so that the user can reference this information when making further purchases.

12. Claims 21 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyama et al, JP07295998 in view of Uranaka, U.S. Patent No. 5,937,158 and Mortimer et al, U.S. Patent No. 6,091,930.

As per **Claim 21**, Toyama et al disclose a method of purchasing from and updating commodity catalog information recorded on a medium comprising:

- accessing a server corresponding to existing commodity catalog information read from the medium (Abstract; 0008; 0009);
- receiving updated commodity catalog information from the server (0009);
- writing the received updated commodity catalog information in a writeable area of the medium (0008; 0009);
- displaying both the existing and updated commodity catalog information such that the updated commodity catalog information is distinguishable from the existing commodity catalog information (0032-0034 and 0045-0048);
- wherein the existing commodity catalog information is written in a read-only area of the medium (0008);
- wherein the updated commodity catalog information is written in a writeable area of the medium (0008; 0014).

Toyama et al fail to disclose comparing ages of the existing information read from the medium and the updated information from the server and receiving the updated commodity catalog information where the ages are different. Uranaka discloses a system for connecting a portable media with a network, storing restaurant guide information on a DVD portable read-only medium and comparing the age of this information with the age of the information stored in the server and receives the updated information where the ages are different (Col. 10, lines 12-26). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and

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compare the ages of the existing data and the updated data as taught by Uranaka in order to determine if the update to the medium is necessary.

Toyama et al further disclose distinguishing the original goods data from the modified data (0032-0034 and 0045-0048), however, fails to specifically disclose marking the updated portion and the non-updated portion so that they are distinguishable from one another. Mortimer et al disclose a customizable interactive textbook stored on a CD-ROM (Abstract; Col. 9, lines 35-50; Col. 11, lines 10-18) wherein data added or altered is visually distinguishable from the original data using highlights, different fonts and underlines (Col. 16, lines 55-65). Mortimer et al further discloses distinguishing new or altered material from the old material using markers (Col. 17, lines 1-18). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and include an ability to distinguish original data from added or altered data using markers such as highlighting which uses different colors, different fonts or underlining as taught by Mortimer et al. Mortimer et al provides motivation by indicating that this would enable the reader to distinguish the original data from the added or altered data (Col. 16, lines 60-65 and Col. 17, lines 1-15).

As per **Claim 24**, Toyama et al further disclose making a purchase of a commodity using the existing and/or updated commodity catalog information (0030; 0035; 0058).

As per **Claim 25**, Toyama et al fail to disclose receiving a purchase record from the server after making the purchase and writing the purchase record to the writeable area of the medium. Uranaka discloses a catalog shopping system using a rewritable DVD having a portion for writing purchase history information for the user (Col. 17, lines 25-37). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and further write user's purchase history information on the medium so that the user can reference this information when making further purchases.

13. Claims 42-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyama et al, JP 07295998 in view of Yoshimoto et al, U.S. Patent No. 5,953,309.

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As per Claims 42, 45 and 48, Toyama et al disclose a recording/reproducing medium comprising:

- a read only area in which original commodity catalog information is written ((Abstract; 0008; 0012);
- a optically writeable area in which updated commodity catalog information is written when provided by a server (0008; 0009).

Toyama et al, however, fail to disclose wherein the writeable area comprises a write once areas and a rewriteable area to which data can be repeatedly written and/or from which data can be erased. Yoshimoto et al disclose an optical disk having multiple zones wherein each zone may be a rewritable area which may be written, erased and rewritten many times, a write-once area or a read-only area and this can be independently set for each zone (Col. 4, lines 20-26). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Toyama et al and utilize a recording medium having a read-only portion, a write-once portion and a rewritable portion as taught by Yoshimoto et al. Yoshimoto et al provides motivation by indicating that this would enable a user to place different types of areas in a single disk which would best suit the intended application (Col. 4, lines 20-25).

As per Claim 43, Toyama et al further disclose a first area in which the original commodity catalog information as of a manufacture time of the medium is written (0008; 0009), however, fails to disclose a second area in which an encrypted key of a vendor is written. Yoshimoto et al disclose an optical disk having a multiplicity of zones wherein each zone may be a rewritable area, a write-once area or a read-only area and this can be independently set for each zone (Figure 20; Col. 4, lines 20-26). Yoshimoto et al also fail to specifically disclose writing an encrypted key of a vendor in the second area, however, the specific type of data being stored is deemed to be merely non-functional descriptive material and is not functionally involved in the steps recited. The step of storing or writing any type of data would be performed the same regardless of the descriptive material since none of the steps explicitly interact therewith. Limitations that are not functionally interrelated with the useful acts, structure, or properties of the claimed invention carry little or no patentable weight. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Ngai*, 70 USPQ2d

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1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to store or write any type of data in the recording medium because such data does not functionally relate to the structure claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per **Claims 44 and 46-47**, Toyama et al further disclose an area in which updated commodity catalog information is written (0008; 0009), however, fails to disclose separate areas in which an update date, commodity purchase information and user's private information is written. Yoshimoto et al disclose an optical disk having a multiplicity of zones wherein each zone may be a rewritable area which may be written, erased and rewritten many times, a write-once area or a read-only area and this can be independently set for each zone (Figure 20; Col. 4, lines 20-26). Yoshimoto et al also fail to specifically disclose writing update date, purchase information and a user's private information, however, the specific types of data being stored is deemed to be merely non-functional descriptive material and is not functionally involved in the steps recited. The step of storing or writing any type of data would be performed the same regardless of the descriptive material since none of the steps explicitly interact therewith. Limitations that are not functionally interrelated with the useful acts, structure, or properties of the claimed invention carry little or no patentable weight. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Ngai*, 70 USPQ2d 1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to store or write any type of data in the recording medium because such data does not functionally relate to the structure claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per **Claim 49**, Toyama et al and Yoshimoto et al fail to specifically disclose that the writeable area comprises an area to which information is magnetically written. However, examiner takes official notice that magnetic mediums such as floppy disks and hard disks are well known in the art and it would

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have been obvious to one having ordinary skill in the art at the time of applicant's invention to use magnetic medium in lieu of optical mediums depending upon the desires of the user.

***Conclusion***

**14. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**15. Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

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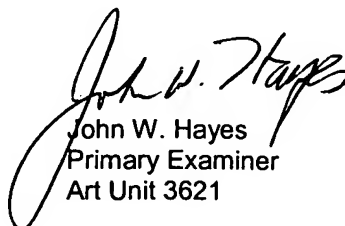
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington,  
VA, 7<sup>th</sup> floor receptionist.

  
John W. Hayes  
Primary Examiner  
Art Unit 3621

March 22, 2005